



# County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA  
Chief Executive Officer

Board of Supervisors  
GLORIA MOLINA  
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Second District

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Third District

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Fifth District

November 5, 2008

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

## **PUBLIC HEARING ON QUALIFICATIONS, APPOINTMENT, AND SALARY OF CANDIDATE RECOMMENDED FOR ROAD COMMISSIONER/DIRECTOR OF PUBLIC WORKS (3 VOTES)**

### **SUBJECT**

Public hearing on qualifications, appointment, and salary of candidate recommended by the Chief Executive Officer for the position of Road Commissioner/Director of Public Works of the County of Los Angeles.

### **IT IS RECOMMENDED THAT YOUR BOARD:**

1. Close the public hearing at the conclusion of public testimony.
2. Upon consideration of the candidate, approve the Chief Executive Officer's recommendation to appoint Gail Farber to the position of Road Commissioner/Director of Public Works effective December 1, 2008, at an annual salary of \$230,000.
3. Find, in accordance with Government Code Section 24306, that the appointee for the position of the Director of Public Works, which is a consolidated office that includes Road Commissioner, County Surveyor/County Engineer, and Chief Engineer, Flood Control District, is qualified to be Director of Public Works by virtue of the fact that the

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appointee is a civil engineer licensed to practice in California, and because there are sufficient personnel employed in the Department of Public Works who possess the required professional licenses and qualifications to assure that decisions made by the Director of Public Works in the capacity of Road Commissioner, County Surveyor/County Engineer, and Chief Engineer, Flood Control District are based on competent professional advice.

4. Acting as the Board of Supervisors for the Los Angeles County Flood Control District, upon consideration of the candidate, appoint Gail Farber as Chief Engineer, Flood Control District effective December 1, 2008.
5. Instruct the Director of Personnel to execute an at-will employment contract which is approved as to form by the County Counsel.
6. Instruct the Executive Officer of the Board to furnish evidence to the State Controller that the County has complied with Streets and Highways Code Section 2006 upon appointment of the Road Commissioner.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of these actions is to appoint a Director of Public Works. Under the County Code, the Director of Public Works is a consolidated office that includes the Road Commissioner, County Surveyor/County Engineer, and Chief Engineer, Flood Control District.

Your Board is required to conduct a public hearing and take testimony on the qualifications of the candidates for the position of Road Commissioner in Los Angeles County, pursuant to Section 2006 of the California Streets and Highways Code, before appointing a Road Commissioner. Upon conclusion of the public hearing and appointment of the Road Commissioner, the County must furnish evidence of compliance to the State Controller, pursuant to Section 2006.

The Los Angeles County Flood Control Act provides that your Board, acting as the Board of Supervisors of the Los Angeles County Flood Control District, shall appoint the Chief Engineer of the Flood Control District.

#### **Implementation of Strategic Plan Goals**

Approval of this recommendation will further the County of Los Angeles Strategic Plan's Workforce Excellence Goal to enhance the quality and productivity of the County workforce.

### **FISCAL IMPACT/FINANCING**

Section 2006 of the California Streets and Highways Code provides that the State shall not make any allocations or payments to any county from the Highway Users Tax Account in the Transportation Tax Fund until the county has complied with the requirements of this section regarding the public hearing and appointment requirements.

The recommended salary will be paid from existing funds in the Department of Public Works budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Section 2006 of the California Streets and Highways Code requires that a public hearing be held on the qualifications of the candidate or candidates for Road Commissioner, prior to appointment. The attached notice of the public hearing was published and posted as required by Section 2006.

Under the County Code, the Director of Public Works ("Director") is a consolidated office that includes the separate offices of Road Commissioner, County Surveyor/County Engineer, and Chief Engineer, Flood Control District. Pursuant to Government Code Section 24306, the Board may find that the appointee for the position of Director is qualified to be Director by virtue of the fact that the appointee is a civil engineer licensed to practice in California, and that the appointee need not possess the qualifications required by statute for any of those separate offices because there are sufficient personnel employed in the Department of Public Works who possess the required professional licenses and qualifications to assure that decisions made by the Director, when acting in the capacity of Road Commissioner, County Surveyor/County Engineer, and Chief Engineer, Flood Control District, are based on competent professional advice.

The recommended salary will provide appropriate compensation to Ms. Farber to perform the duties of the Director of Public Works.

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**IMPACT ON CURRENT SERVICES**

Implementation of these recommendations will provide leadership for the Department of Public Works.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:os

Attachment

c: County Counsel  
Executive Officer, Board of Supervisors  
Director of Personnel  
Acting Director of Public Works

**NOTICE OF HEARING ON QUALIFICATIONS OF  
CANDIDATE FOR THE POSITION OF  
ROAD COMMISSIONER (DIRECTOR OF PUBLIC WORKS)**

The Board of Supervisors of the County of Los Angeles is considering the following candidate for appointment to the position of Road Commissioner (Director of Public Works):

- Gail Farber, Public Works Director/City Engineer, Public Works Department, City of Orange

Pursuant to Streets and Highways Code Section 2006, the Board of Supervisors must hold a public hearing on the qualifications of the candidates, prior to making a final appointment. A copy of the resume of the foregoing candidate is available for review by any member of the general public in the Executive Office of the Board of Supervisors, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012.

Notice is hereby given that on November 5, 2008, at the hour of 9:30 o'clock a.m., in the Hearing Room of the Board of Supervisors, Room 381B, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, said Board of Supervisors will conduct a public hearing on the qualifications of the foregoing candidate for the position of Road Commissioner (Director of Public Works).

If you do not understand this notice or need more information, please call (213) 974-2514.

Si no entiende esta noticia o necesita mas informacion, favor llame ha este numero (213) 974-2519.

**SACHI A. HAMAI**  
Executive Officer-Clerk of the Board of  
Supervisors of the County of Los Angeles

SAH:ADC  
EVR:MM:tdb